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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF US WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH SECTION 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

PROCEDURAL ORDER

BY THE COMMISSION:

On February 8, 2002, Arizona Corporation Commission Staff ("Staff") filed a Motion to Modify Procedural Order of January 15, 2002. The January 15, 2002 Procedural Order set a schedule for the issuance of the Cap Gemini Ernst & Young ("CGE&Y") OSS final Report. Staff seeks to extend certain dates set in the Procedural Order to accommodate an additional workshop day. Staff proposed the following changes to the schedule set in the January 15, 2002 Procedural Order:

Final Workshop Day	February 21, 2002 ¹
Final Report issued to TAG and Commission	February 28, 2002
Staff Report	March 11, 2002
Parties submit comment on the Final Report And Staff Report	March 21, 2002

On February 12, 2002, Qwest Corporation ("Qwest") filed an Opposition to Staff's Motion. Qwest does not oppose an additional workshop day, but requests that the remaining schedule be slightly shorter than that proposed by Staff. Qwest additionally requested that the schedule include deadlines for filing Staff's recommended reports for Checklist items 4 and 10, Section 272, General Terms and Conditions and Public Interest/Track A, and a date set for the Commission's special open meeting to finalize the remaining items.

¹ The parties subsequently agreed to conduct the workshop on February 25, 2002.

1 On February 12, 2002, AT&T Communications of the Mountain States, Inc. and TCG
2 Phoenix (collectively "AT&T") filed a Response to Staff's Motion. AT&T supports an additional
3 workshop day, but has many issues with the rest of the proposed schedule. AT&T does not believe
4 that Staff's proposed schedule provides sufficient time for the parties to file comments to the Final
5 Report. AT&T also argues that the Final Report should not be issued until the Master Test Plan and
6 Test Standard Document have been complied with and the open issues resolved.

7 On February 21, 2002, Staff filed a Reply to AT&T and Qwest's Response to Staff's Request
8 to modify January 15, 2002 Procedural Order.

9 The Hearing Division convened a Procedural Conference on February 21, 2002, for the
10 purpose of taking additional comments from the parties concerning scheduling and the criteria for
11 issuing the Final Report. On February 26, 2002, AT&T filed a list of issues concerning the Final
12 Report.

13 AT&T is concerned that under Staff's proposed schedule, CGE&Y would be issuing its Final
14 Report on the OSS test prematurely, before all Incident Work Orders ("IWOs") are closed and all re-
15 testing completed. Staff explained that it was Staff's intent that CGE&Y's Final Report would not
16 issue before all IWOs were closed. Staff further stated that many of AT&T's concerns will either be
17 addressed in the CGE&Y Final Report, or in Staff's Report on the CGE&Y Final Report. Staff
18 believes that it would be close to impossible to resolve every dispute to every party's satisfaction
19 prior to the Final Report issuing. Staff stated that although some re-testing may continue subsequent
20 to the issuance of the Final Report, such tests are immaterial to the ultimate conclusion of whether
21 Qwest's OSS is sufficient.

22 Until CGE&Y issues its Final Report on the OSS test, and Staff issues its recommendations
23 concerning that Final Report, the Commission is unable to evaluate AT&T's concerns about the
24 testing process or the test administrator's conclusions. AT&T has a valid point that outstanding
25 IWOs should be closed prior to CGE&Y issuing the Final Report, however, CGE&Y, the test
26 administrator, should have some discretion in determining when the OSS test is complete and it can
27 issue its Final Report. Either the CGE&Y Final Report or Staff's Report and recommendations on
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1 the Final Report should address the issues AT&T raises. As has occurred throughout the Section 271
2 process, the Commission has the option of accepting or rejecting Staff's recommendations and may
3 determine that a hearing or additional testing is required to make a final recommendation to the FCC
4 concerning Qwest's OSS.

5 At the February 21, 2002 Procedural Conference, Staff stated CGE&Y could issue its Final
6 Report by March 7, 2002, and that Staff could file its Report on the Final Report ten days thereafter.
7 Staff stated that if CGE&Y was not prepared to issue the Final Report within that timeframe, because
8 all IWO's were not closed or it believed it needed to see the results of additional re-testing, CGE&Y
9 would request additional time.

10 Staff believes that in certain circumstances, re-testing can continue even after the Final Report
11 issues. If re-testing is ongoing after the CGE&Y Final Report, Staff should either delay issuance of
12 its Staff Report until after the re-testing is complete or provide justification in its Staff Report why it
13 believes the Commission should consider the CGE&Y Final Report and Staff's recommendations
14 prior to the completion of all re-testing. All interested parties will have an opportunity to comment
15 on the completeness and conclusions of the CGE&Y Final Report and Staff Report.

16 Staff may either address the Change Management Redesign Process and the Stand Alone Test
17 Environment ("SATE") in its Staff Report on the Final Report or in separate reports.

18 Pursuant to prior Procedural Orders, and in conformance with Staff's current request, parties
19 shall file comments on the CGE&Y Final Report and the Staff Report, ten days after Staff files its
20 Report. They should have at least 20 days from the date CGE&Y issues its Final Report to file
21 comments. AT&T agreed to this schedule as long as all of the testing documentation is in the
22 viewing room on the date the Final Report issues. If the documentation is not available for viewing,
23 the comment period on the Final Report and Staff Report shall be extended one day for every day the
24 documentation is not available.

25 During the February 21, 2002, Procedural Conference, Qwest distributed a proposed schedule
26 for Staff to issue its recommendations on remaining Section 271 Checklist Items, the Hearing
27 Division to issue Recommended Orders and the Commission to schedule Open Meetings to consider
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1 the items. Qwest's proposed schedule does not account for the possibility that the Hearing Division
2 or Commission may conclude that a hearing is required to resolve disputed items. It is not in the
3 public interest to pre-determine when the Commission's analysis should be complete. Staff has
4 stated it will work diligently to issue the remaining Reports.

5 IT IS THEREFORE ORDERED that CGE&Y shall issue its Final Report on the OSS test, or
6 request additional time, by March 7, 2002.

7 IT IS FURTHER ORDERED that Staff shall file its Staff Report on the CGE&Y Final Report
8 within 10 days of the date of the Final Report. In the event re-testing is continuing after the issuance
9 of the Final Report, Staff shall address the re-test result in its Staff Report, and may request additional
10 time to complete its Staff Report if Staff believes the re-test results are material to its ultimate
11 recommendation. If Staff believes that its ultimate recommendation would not be affected by the
12 results of any re-testing, the Staff Report should explain why the re-test results are not material or
13 propose a procedure for addressing the test results at a later date.

14 IT IS FURTHER ORDERED that parties shall submit comments on the Final Report and
15 Staff Report within 20 days of the date of the Final Report or within ten days of the Staff Report,
16 whichever is greater. The comment period shall be extended by one day for every day after the
17 issuance of the Final Report that the supporting documentation is not available in the viewing room.

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19 DATED this 4th day of March, 2002.

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22 
23 JANE L. RODDA
24 ADMINISTRATIVE LAW JUDGE

25 Copies of the foregoing mailed/delivered
26 this 4th day of February, 2002, to

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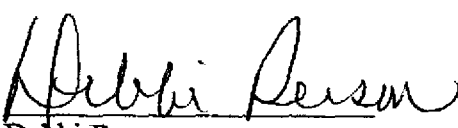
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